

# EXHIBIT H



United States Department of State

Washington, D.C. 20520

August 23, 2018

Caitlin Vogus  
Reporters Committee for Freedom of the Press  
156 15<sup>th</sup> St. NW  
Suite 1250  
Washington, DC 20005

Dear Ms. Vogus:

Thank you for your letter of July 19, 2018, concerning Freedom of Information Act ("FOIA") requests numbered F-2017-17811 and F-2017-17860, in which you note that the Department of State has not yet responded to your FOIA request.

Your FOIA requests are not subject to administrative appeal at this time, since no specific material has been denied in response to the requests. Section (a)(6)(C) of the FOIA provides that a requester shall be deemed to have exhausted his administrative remedies if an agency fails to respond within the applicable time limit specified in the paragraph, which is twenty days (with certain exceptions). The requester, therefore, would not be required to appeal administratively before instituting suit in federal court. This provision does not, however, provide a basis for an administrative appeal of a request that is still being processed. Moreover, the lack of a substantive response to date is not the same as a response indicating that no documents were found.

I have confirmed that your requests are being processed. The Department receives thousands of FOIA and Privacy Act requests each year and yours will be processed in turn. I have notified the office that has been assigned responsibility for processing your requests that you have filed this appeal. Your continued patience is appreciated. If you need further assistance, you may contact the FOIA Requester Service Center at (202) 261-8484 or [FOIAstatus@state.gov](mailto:FOIAstatus@state.gov).

Sincerely,

A handwritten signature in blue ink that reads "Lori Hartmann".

Lori Hartmann  
Appeals Officer  
Office of Information Programs and Services